

11. Claim 19 is amended by the addition of limitations similar to claim 1. Claims 7, 8, 13-20 are amended to clarify the wording. Claims 1-5, 7-9, and 12-21 remain for examination.

Basis in the specification for the amendment to claims 1 and 19 is found at claim 11 and page 7, lines 1-2.

Amendments to claims 8, 13-16, and 18-20 involve substitution of "audible" for "aural" in order to more clearly and consistently claim the invention. Basis in the specification for this amendment is in claim 1.

Amendment to claim 7 make the dependency consistent and substitutes "display" for "spoken representation". Basis in the specification is at claim 1.

REMARKS *WLC 12/17/02*
The Examiner rejected claims 1-2, 4-9, and 11 under 35 U.S.C. 103(a) as unpatentable over Reavey et al (USP 5,847,609) taken with McTaggart (USP 6,021,305).

Reavey discloses an electronic book device with two electronic visual displays oriented in a hinged face-to-face manner. The device combines the look and feel features of a conventional book with state of the art electronic technology.

McTaggart discloses a "conventional" book with bound leafs, each of which contains printed drawings and words, combined with a mechanism for speech generation and display. The speech is related to the printed material and the speech connected with a specific page is emitted when the book is opened to that page. In addition, portions of the printed material can be highlighted by a visual or olfactory device. The visual information printed on the pages of the book is explained, highlighted, or in any way enhanced by sound or light displays systematically synchronized with the information to stress its meaning and improve comprehension and retention on the part of a reader. Col. 2, lines 23-29.

The present invention as currently claimed differs in significant and unexpected ways from Reavey and McTaggart.

In the present invention, the same words are expressed simultaneously in both the visual and audible displays. The audible information in McTaggart is designed to enhance and not to duplicate the visual information.

The present invention has discrete and unexpected advantages over Reavey and McTaggart. In today's world, a reader reads in interrupted time segments, and the option of obtaining the exact same information in either visible or audible mode is useful. For example, a user may use the audible mode while driving to a commuter train, and use the visual mode while riding on the train (Specification page 5, lines 5-15). At work the audible mode with an earphone may be used. In addition, the ability to enhance the size or contrast of the visual display, or to use the audible display under conditions when the visual display is difficult to see, enables visually-impaired persons access to books (Specification page 5, lines 16-17; page 6, lines 11-12). Finally, this electronic book is especially useful for a student learning a foreign language because it is easy to correlate the written and spoken language (Specification page 7, lines 11-12).

Accordingly, the present invention, as presently claimed, is not obvious over Reavey and McTaggart and the Examiner is respectfully requested to withdraw the rejections.

Claims 2, 4, 5, 6-9 are directly or indirectly dependent on claim 1. Since claim 1, as amended, is allowable, the claims dependent on it also are allowable and the Examiner is respectfully requested to withdraw the rejections.

The Examiner rejected claim 3 under 35 U.S.C. 103(a) as unpatentable over Reavey et al (USP 5,847,609) taken with McTaggart (USP 6,021,305) as applied to claim 1 and further in view of Kukumoto et al. (USP 380,923)

Claim 3 is directly dependent on claim 1. Since claim 1, as amended, is allowable, the claims dependent on it also are allowable and the Examiner is respectfully requested to withdraw the rejection of claim 3.

The Examiner rejected claim 10 under 35 U.S.C. 103(a) as unpatentable over Reavey et al (USP 5,847,609) as applied to claim 1 and further in view of Shwarts et al (USP 6,243,071).

This amendment cancels without prejudice claim 10.

The Examiner rejected claims 12 and 15 under 35 U.S.C. 103(a) as unpatentable over Reavey et al (USP 5,847,609) taken with McTaggart (USP 6,021,305) as applied to claim 1, and further in view of Ohara et al. (USP 6,297,812).

Claims 12 and 15 are directly dependent on claim 1. Since claim 1, as amended, is allowable, the claims dependent on it also are allowable and the Examiner is respectfully requested to withdraw the rejections of claims 12 and 15.

The Examiner rejected claim 13 under 35 U.S.C. 103(a) as unpatentable over Reavey et al (USP 5,847,609) taken with McTaggart (USP 6,021,305) as applied to claim 1 and further in view of Eberhard et al. (USP 6,331,867).

Claim 13 as amended is directly dependent on claim 1. Since claim 1, as amended, is allowable, the claims dependent on it also are allowable and the Examiner is respectfully requested to withdraw the rejection of claim 13.

The Examiner rejected claim 14 under 35 U.S.C. 103(a) as unpatentable over Reavey et al (USP 5,847,609) taken with McTaggart (USP 6,021,305) as applied to claim 1 and further in view of Nobles et al. (USP 4,820,167).

Claim 14 is directly dependent on claim 1. Since claim 1, as amended, is allowable, the claims dependent on it also are allowable and the Examiner is respectfully requested to withdraw the rejection of claim 14.

The Examiner rejected claims 16-18 under 35 U.S.C. 103(a) as unpatentable over Reavey et al (USP 5,847,609) taken with McTaggart (USP 6,021,305) as applied to claim 1 and further in view of Wong (Des. 326,446) taken with Hyman et al. (USP 5,495,557).

The above comments on Reavey and McTaggart apply to this rejection.

The disclosure in Wong is limited to the ornamental design. There is no indication in Wong that the "Combined electronic book and CD ROM reader" has any function. Unlike an invention in a utility patent, a patented ornamental design has no use other than its visual appearance, and its scope is "limited to what is shown in the application drawings". *In re Harvey*, 12 F.3d 1061, 27 U.S.P.Q.2d 1297 (Fed. Cir. 1993). Furthermore, references used in a 35 U.S.C. 103 rejection must (among other things) "(B)e considered as a whole and must suggest the desirability and thus the obviousness of making the combination;" *Hodosh v. block drug co., Inc.*, 786 F.2d 1136, 1143 n.5, 229 U.S.P.Q. 182, 187 n.5 (Fed. Cir. 1986). Wong cannot suggest anything as it discloses merely a non-functional design.

Accordingly, the Examiner is respectfully requested to withdraw the rejection of claim 16-18.

The Examiner rejected claims 19-20 under 35 U.S.C. 103(a) as unpatentable over Reavey et al (USP 5,847,609) taken with McTaggart (USP 6,021,305) as applied to claim 1 and further in view of McTaggart.

The above comments on Reavey and McTaggart with respect to claim 1 apply to this rejection. In addition, claim 19 as amended is limited to the simultaneous visual and audible expression of words on a page and is not disclosed or made obvious by Reavey and McTaggart. Accordingly, the Examiner is respectfully requested to withdraw the rejection of claim s 19-20.

The Examiner rejected claims 21 under 35 U.S.C. 103(a) as unpatentable over Reavey et al (USP 5,847,609) taken with McTaggart (USP 6,021,305) as applied to claim 1 and further in view of McTaggart.

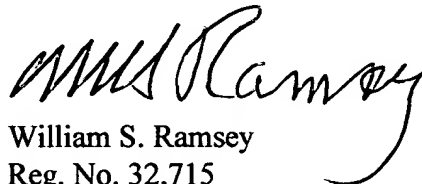
Claims 21 is directly dependent on claim 19. Since claim 19, as amended, is allowable, the claims dependent on it also are allowable and the Examiner is respectfully requested to withdraw the rejection of claim 21.

In view of the above, reconsideration and early allowance of the pending claims are earnestly solicited.

This is a petition for extension of time for response by one month from September 5, 2002 to October 5, 2002. A check for the fee of \$70.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment, to Deposit Account No. 18-0158. In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 18-0158. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,



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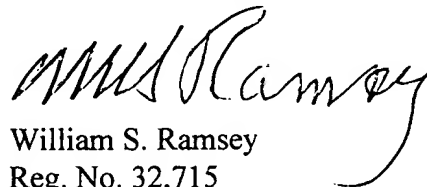
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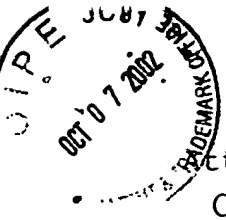
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Respectfully submitted,



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AMEND



Attachment B. Marked-Up Copy of Claims
CLAIMS

I claim:

1. A portable paperless book comprising:

a digital storage device for visual and audible information, and

5 a display system for displaying visual and audible information from a storage device wherein
the visual, audible, or visual and audible information is displayed with the visual and audible information
in synchrony on the visual display and the printed words are
simultaneously read in the visual display.

2. A paperless book of claim 1 wherein the display of visual information is a ferroelectric
display, electroluminescent display, liquid crystal display, or light emitting diode.

10 3. A paperless book of claim 2 wherein the display of visual information is in a head-
mounted display.

4. A paperless book of claim 2 wherein the display of visual information is in a screen
on the paperless book.

5. A paperless book of claim 1 wherein the audio information display is produced by
15 headphones, ear phones, speakers permanently attached to the paperless book, or speakers detachably
attached to the paperless book.

~~Cancel~~ ~~X~~ A paperless book of claim 1 wherein visual display of information is in synchrony with
an audible spoken representation of the information.

7. A paperless book of claim ⁵ wherein the audible ^{display} spoken representation of the
20 information is generated by artificial speech.

8. A paperless book of claim 1 further comprising a switch which activates and
deactivates the visual and ^{audible} ~~aural~~ displays.

9. A paperless book of claim 1 further comprising an electronic bookmark.

Cancel ~~10~~ 10. A paperless book of claim 1 wherein the visual and audible information is a movie.

Cancel ~~11~~ 11. A paperless book of claim 1 wherein the visual and audible information is a printed book which appears on the visual display and the printed words are simultaneously read in the aural display.

12. A paperless book of claim 1 wherein the digital storage device is a ROM selected from the group of ROM consisting of floppy disk, CD-ROM disk, and DVD disk.

13. A paperless book of claim 1 ~~12~~ wherein a highlighted portion of the text indicates an associated visual or aural file.

14. A paperless book of claim 1 further comprising controls which control the speed at which the visual and aural information is scrolled.

15. A paperless book of claim 1 further comprising a control which determines at which point in the sequence of visual and aural information the process of displaying the visual and audible information will begin.

16. A paperless book comprising:

a housing,

a central processing unit, battery, ROM reader, permanent memory unit, and temporary memory unit mounted within the housing,

a visual display, power jack, head-mounted visual display housing jack, aural display housing jack, scroll button, select button, play button, stop or pause button, directional control buttons, volume control dial, brightness control dial, door for inserting ROM, and shoulder strap, mounted on the housing,

earphones, connecting wires, and a earphone jack,

the earphone jack connected to the aural display housing jack,

a head-mounted visual display, connecting wire, and visual display jack,

the visual display jack connected to the head-mounted visual display housing jack.

5 17. The paperless book of claim 16 further comprising ^{an} ~~a~~ alternating current to direct current convertor which plugs into the power jack and provides direct power to the paperless book.

18. The paperless book of claim 16 further comprising a digital storage device for visual and ~~aural~~ ^{audible} information, the digital storage device inserted in the ROM loading door in operation.

10 19. The process of simultaneously displaying both visual and ~~aural~~ ^{audible} information ~~in a~~ ^{audible information from a} digital storage device, wherein the visual and audible information is a printed book ~~paperless book~~ comprising the steps: ^{which appears on the visual display and the printed words} ~~audible~~ ^{audible} are simultaneously read in the audible display,

a. downloading visual and ~~aural~~ ^{audible} information from a removable memory storage device, a computer, or a global computer network into a temporary storage site,

b. displaying a page of ~~visual material~~ ^{printed words} from the temporary storage site on a visual display,

and

15 c. displaying ~~aural material~~ ^{audible expression of the page of printed words of step b.} from the temporary storage site on a audible display, the ~~display of aural material in synchrony~~ ^{audible simultaneously} with the display of visual material.

20. The process of claim 19 wherein the visual and ~~aural~~ ^{audible} information is downloaded from a removable memory storage device.

21. The process of claim 19 further comprising the step:

20 d. advancing the visual display to the next page when the audible display corresponding to the displayed page is completed.